

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

UNITED STATES OF AMERICA)	
)	Case No. 4:17-cr-3
v.)	
)	Judge Travis R. McDonough
JOSE MORALES MARTINEZ)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count One of the Indictment; (2) accept Defendant's guilty plea as to Count One of the Indictment; (3) adjudicate the Defendant guilty of illegal entry in violation of Title 8, United States Code, Section 1326(a); and (4) order that Defendant remain in custody until sentencing in this matter. (Doc. 18.) Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 18) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count One of the Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of illegal entry in violation of Title 8, United States Code, Section 1326(a); and

4. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **September 22, 2017**, at **9:00 a.m.** before the undersigned.

SO ORDERED.

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**